

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

DAVID RIBEIRO,)
Plaintiff)
)
v.) CIVIL ACTION NO. 04-30201-MAP
)
DAVID S. USHER, ET AL,)
Defendants)

MEMORANDUM AND ORDER REGARDING
MOTION FOR SUMMARY JUDGMENT BY
DEFENDANTS KELLY AND HIGGINS
(Docket No. 38)

October 26, 2005

PONSOR, U.S.D.J.

This is an action brought by Plaintiff, pro se, against a number of defendants, alleging constitutional violations in connection with the criminal prosecution of the plaintiff. Defendants Kelly and Higgins have moved for summary judgment. In violation of the Local Rules, Plaintiff has failed to file any opposition to the Motion for Summary Judgment. For this reason, and because the court finds that the Defendants' arguments are meritorious, the Motion for Summary Judgment is hereby ALLOWED.

It is So Ordered.

/s/ Michael A. Ponsor
MICHAEL A. PONSOR
U. S. District Judge